

**BOARD OF APPEALS
for
MONTGOMERY COUNTY**

**Stella B. Werner Council Office Building
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www.montgomerycountymd.gov/content/council/boa/index.asp

WORKSESSION MINUTES

Second Floor Davidson Memorial Hearing Room

Wednesday, May 5, 2010, 9:30 a.m.

ACTION ITEMS:

1. **Minutes**, April 21, 2010 Worksession.

Action: Approved, (CJS/WSB, 4-0).

2. **S-1190, Petition of Katherine Stone** (accessory apartment). Memorandum from Cece Kinna, Inspector, Department of Housing and Community Affairs (DHCA), notifying that Board that the special exception has been abandoned and requesting that it be revoked. Also included is a letter of confirmation from the property owner.

Action: Revoked special exception as abandoned, (CJS/WSB, 4-0).

3. **S-1703-A [CBA-1703], Petition of 16121 Batson Road, LLC** (landscape contractor). Letter to the Board from Kevin McLaren requesting an administrative modification. [Large exhibit: site plan modification].

Action: (1) Granted the administrative modification; (2) petitioner to submit a revised copy of the site plan for the record, (SBB/CJS, 4-0).

4. **S-2651, Petition of Brenneman and Pagenstecher, Inc.** (non-resident professional office). Letter from Norman Knopf, Esquire, requesting that DPS inspect the special exception as to its current status.

Action: Refer complaint to DPS for inspection of the special exception, consensus.

DECISION ITEM:

5. **S-2749, Petition of Vincent E. Lufsey** (outdoor storage). Hearing Examiner's Report and Recommendation.

Action: (1) Adopted the Hearing Examiner's Report and Recommendation; (2) granted the special exception with conditions as amended, (CJS/SBB, 4-0).

PENDING ITEMS:

6. **A-6114, Appeal of Newland Communities LLC and NNP II – Clarksburg LLC** (Department of Fire and Rescue Services – Notice of Violation dated September 20, 2005). Second Status Report from Todd Brown, Esquire. (1) Re-opened the record to include the Second Status Report from Todd Brown; (2) the Board will receive Status Reports on 1/15/07 and 4/1/07 [W/S 10/25/06]. (1) Re-opened the record to include the status report from Mr. Brown; (2) Mr. Brown to provide a status/progress report to BOA at its 5/2/07 Worksession [W/S 2/28/07]. Status report from Todd Brown, Esquire [W/S 10/17/07]. Re-opened the record to include the status report from Mr. Brown [W/S 4/2/08].
7. **A-6117, Appeal of Mary Hemingway and Edward Purich for Cloverly Civic Association** (Department of Permitting Services (DPS) – Issuance of Building Permit No. 402806). Opinion and Order from the Circuit Court. (1) Re-opened the record to include the Opinion and Order from the Circuit Court; (2) action by BOA deferred until 7/6/09. [W/S 6/17/09].
8. **S-179, David H. Shin (coffee shop)**. Letter to the Board from Sook Kim requesting a transfer of the special exception. Item deferred for additional information regarding ownership of special exception property. [W/S 6/25/08].
9. **S-570, Petition of Wildlife Achievement Chapter of Izaak Walton League of America, Inc.** (private club with outdoor rifle range). Letter to the Board from Guy Wright, President, requesting an administrative modification. Item deferred to request that the petitioner provide a site plan which shows the proposed site modifications. [W/S 4/21/10].
10. **S-763 [S-763-A], Petition of Silver Spring Temple and Library Association** (service organization). Letter to the Board from Sean Hughes, Esquire, requesting an administrative modification. [Large exhibits: title sheet, site survey, roof and equipment location plan, building elevations, equipment details]. Deferred administrative modification request until a special exception application has been approved for the telecommunications facility. [W/S 3/10/10].
11. **S-894, Petition of Joan C. Wright** (major home occupation). Letter to the Board from the petitioner requesting an administrative modification. Item deferred for additional information regarding the number of employees, size of the workspace, renewal period. [W/S 3/11/09].

PENDING ITEMS (continued):

12. **S-1713, Petition of Deda's Farm, LLC** (landscape contractor). Letter to the Board from the petitioner requesting an administrative modification. Item deferred for site plan with the new and old barn locations. [W/S 3/31/2010].
13. **S-2141, Petition of Bannockburn Swim Club, Inc.** (community swimming pool). Letter from John Chadwick, Pool Board Representative-Improvements, submitting the additional information requested by the Board for an administrative modification. [Large exhibit: site plan]. Item deferred to determine if administrative modification is subject to a forest conservation requirement. [W/S 4/2/08].
14. **S-2145, Petition of Southwestern Bell Mobile Systems, Inc.** (telecommunications facility). Letter to the Board from Karmen Rajamani, Zoning Manager, requesting a transfer of the special exception. Item deferred for confirmation of the transfer from Southwestern Bell Mobile Systems, Inc. [W/S 4/30/08].

Board Members

Catherine G. Titus, Chair - ABSENT
David K. Perdue, Vice Chair
Walter S. Booth
Carolyn J. Shawaker
Stanley B. Boyd

Staff

Barbara Jay, Associate County Attorney
Katherine Freeman, Executive Director
Hermene Jones, Administrative Specialist